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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,333	10/24/2003	Jeremiah Seth Epling	MS1-1755US	8246
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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201				
EXAMINER				
CHUMPTIAZ, BOB R				
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4115				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/693,333

Applicant(s)

EPLING ET AL.

Examiner

BOB CHUMPITAZ

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on October 24, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/24/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

The following is a Non-Final First Office Action in response to the Patent Application filed October 24, 2003. Claims 1-20, as originally filed are presented for examination on the merits.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Annie I. Anton, Julia B. Earp, Angela Reese; IEEE, Sept. 2002 Pgs. 23-31: "Analyzing Website privacy requirements using a privacy goal taxonomy" (hereinafter referred as Anton) in view of Bleizaffer et al. US 2002/0188572 (hereinafter referred as Bleizaffer).

As per claim 1, Anton discloses a method, comprising: comparing user concerns with a Web site privacy policy to determine if any portion of the Web site privacy policy conflicts with one or more of the user (¶ [2.2- users preferences are compared with P3P complaint policy statements]; see also, ¶ [3- consumers and system developers can more accurately compare privacy practices]), transforming the Web site privacy policy to emphasize portions of the Web site privacy policy that conflict with the user concerns (¶ [3.1.3- allow customer to modify/remove their personal identification information]);

Anton fails to disclose displaying the transformed Web site privacy policy so that the emphasized portions of the Web site privacy policy are demarcated from other portions of the Web site privacy policy.

Bleizeffer teaches and interface that displays privacy policy preferences specifications (¶ [0006-0007 interface displays descriptions of the privacy policy in several forms]; see also, ¶ [0003 screen that displays the main policy editor window]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the internet privacy policy analysis as taught by Anton to include the screen interface display as taught by Bleizeffer in order to output the revised privacy policy that meets with the user and service provider preferences that will serve as an effective mechanism for analyzing and comparing privacy policies, system requirements and the respective system's functionality.

As per claim 2, Anton further discloses collecting user concerns from a user (¶ [3.1.1- information is collected from consumers]; see also, ¶ [3.2.2- information transfer or information collection).

As per claim 3, Anton discloses claim 2 as rejected above wherein Bleizeffer further teaches collecting the user concerns from a user via a concerns settings user interface (¶ [0002, 0007, 0019-interface for creating and designing privacy policies for the platform for privacy preferences specifications]).

As per claim 4, Anton further discloses the Web site privacy policy includes one or more policy statements (¶ [5- policy statements]); the comparing further comprises comparing each privacy policy statement with each user concern (¶ [2.2- user multiple choice question responses

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are compare with P3P complaint policy statements)); and a conflict is identified when there is a conflict between a privacy policy statement and a user concern (§ [1- conflicts with consumers' desires to be shielded from unauthorized personal information use]; see also, § [3-conflicts within privacy policies and conflicts with the corresponding websites and their manner of operation]).

As per claim 5, Anton discloses claim 1 as rejected above wherein Bleizeffer further teaches the privacy policy further comprises a policy file that conforms to P3P (Platform for Privacy Preferences Project) standards (§ [0007, 0029-P3P specification]; see also, § [0039-P3P standard]).

As per claim 6, Anton discloses claim 1 as rejected above wherein Bleizeffer further teaches the privacy policy is contained in an XML (eXtensible Markup Language) file (§ [0033-XML policy]; see also, § [0040- the formal extensible markup language version of the policy is available]).

As per claim 8, Anton further discloses notifying the user that a conflict exists between the user concerns and the Web site privacy policy file (§ [3.1.1-notice and awareness notification regarding site's privacy policy]).

As per claim 9, Anton discloses claim 1 as rejected above wherein Bleizeffer further teaches wherein the displaying is only performed upon the user indicating that the user wants the transformed Web site privacy policy to be displayed (§ [0033-tabs 432 allow the user to switch between versions of the policy displayed in the policy pane]; see also, § [0040-policy pane])

As per claim 10, Anton discloses claim 1 as rejected above wherein Bleizeffer further teaches wherein the comparing, transforming and displaying steps are only performed when the user explicitly initiates a policy analysis (§ [0006, 0038- interview type user questions).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anton in view of www.w3schools.com (W3Schools XSL Languages); Note: that the earliest date Examiner could find that "W3Schools" was available is indicated by a copyright of 1999-2008.

As per claim 7, Anton discloses claim 1 as rejected above but does not explicitly disclose wherein the transforming step further comprises an XSL (extensible Stylesheet Language) transformation.

W3Schools teaches a tutorial about XSL languages (pg.1, XSL = XML style sheets, XML consists of three parts: XSLT-a language for transforming XML documents, XPath- a language for navigating in XML documents, XSL-FO- a language for formatting XML documents).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the internet privacy policy analysis of Anton by providing an XSL computer language for transforming XML documents as taught by W3Schools in order to display the XML documents in XSL computer language.

Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bleizeffer in view of Koike (US 2003/0084300 A1).

As per claim 11, Bleizeffer discloses a system, comprising: a user concerns menu that is configured to allow a user to enter user concerns that are privacy concern preferences that apply

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to browsing Web sites (§ [0006- interface for creating privacy policies]; see also, § [0030, 0031- main policy editor window]); a Web browser configured to allow the user to access one or more network Web sites (§ [0017-0018, 0029- network 102 being the internet and a web server providing world wide web content; see also fig. 1 and associated text]); a transformation module configured to transform the privacy policy file into a user-centric policy display that emphasizes one or more portions of the privacy policy file that conflict with the user concerns (§ [0033-tabs 432 allow the user to switch between versions of the policy displayed in the policy pane]; see also, § [0040-policy pane]); and a user interface module configured to display a user interface that includes at least the portions of the privacy policy file that conflict with the user concerns (§ [0007- interface that allows user to group, manipulate, and describe the data used by a Web site]; see also, § [0052- policy editor interface]).

Bleizeffer does not disclose a trust engine configured to compare the user concerns with a privacy policy file included in a Web site and to identify conflicts between the user concerns and the privacy policy file.

Koike teaches a comparator that compares the privacy policy to privacy preferences and judges whether the privacy policy is consistent with the privacy policy (§ [0090, 0095, 0116- comparator 104 compares the privacy policy]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the privacy policy system of Bleizeffer to include a comparator as taught by Koike in order to acquire a policy that's in accordance with the results of comparison carried out by the comparator and is acceptable to a user.

As per claim 12, Bleizeffer discloses claim 11 as rejected above wherein Koike further teaches wherein the trust engine is further configured to compare each user concern with each of multiple statements making up the privacy policy file and to identify a match when a statement is found that contradicts a user concern (§ [0116, 0121- comparator 104 outputs not only the results of comparison but also data indicative of inconsistency between the privacy policy and the privacy preferences]).

As per claim 13, Bleizeffer further discloses wherein the Web browser is further configured to provide a conflict notification when there is a conflict between a user concern and the privacy policy file (§ [0040- policy pane that displays an error tab when errors are detected in the policy]).

As per claim 14, Bleizeffer discloses claim 11 as rejected above wherein Koike further teaches wherein the Web browser is further configured to provide a privacy actuator that, when activated, initiates the comparing, transformation and display (§ [0090-central processing unit and comparator 104]).

As per claim 15, Bleizeffer discloses wherein the user interface module is further configured to display a user interface that displays the portions of the privacy policy file that conflict with the user concerns more prominently than the portions of the privacy policy file that do not conflict with the user concerns (§ [0007- interface that allows user to group, manipulate, and describe the data used by a Web site]; see also, § [0052- policy editor interface]).

As per claim 16, Bleizeffer discloses one or more computer-readable media including computer-executable instructions that, when executed on a computer, perform the following steps: if a conflict is identified between a user concern and a privacy policy statement,

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transforming the privacy policy statements for presentation to a user so that the privacy policy statement is emphasized over other, non-conflicting privacy policy statements (§ [0064-computer readable media]; see also, § [0007- interface that allows user to group, manipulate, and describe the data used by a Web site]; see also, § [0052- policy editor interface]); and displaying a user interface that presents the privacy policy statements in the transformed state (§ [0063-Interface used to define new data elements and a policy that is displayed in several forms]).

Bleizeffer does not disclose comparing a set of user concerns with a set of Web site privacy policy statements to determine if a privacy policy statement conflicts with a user concern.

Koike teaches a recording medium storing a computer program capable of executing a user terminal device to output a warning to a user and compare the received privacy policy to privacy preferences (§ [0179-0183 recording medium storing the program]; see also, § [0010, 0013-user terminal device]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the privacy policy statement of Bleizeffer to include a user terminal device as taught by Koike in order for the user avoid errors and provide user feedback when errors do occur.

As per claim 17, Bleizeffer discloses claim 16 as rejected above wherein Koike further teaches collecting the set of user concerns from a user (§ [0032-server for collecting data including privacy of the user; see fig. 1, server 110, and associated text]).

As per claim 18, Bleizeffer discloses claim 16 as rejected above wherein Koike further teaches receiving a prompt from a user before executing the comparing and the displaying (§

[0179-0183 recording medium storing the program]; see also, ¶ [0010, 0013-user terminal device to output a warning to a user and compare the received privacy policy to a privacy preferences]).

As per claim 19, Bleizeffer further discloses providing a conflict notification to a user to inform the user that a conflict has been found to exist between the privacy policy statements and the user concerns (¶ [0040- policy pane that displays an error tab when errors are detected in the policy]).

As per claim 20, Bleizeffer further discloses providing a conflict notification to a user to inform the user that a conflict has been found to exist between the privacy policy statements and the user concerns, and only performing the displaying upon detection of a user response to the conflict notification (¶ [0040- policy pane that displays an error tab when errors are detected in the policy]).

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Aarts et al. (US 2005/0076233) Method and apparatus for transmitting data subject to privacy restrictions.

- Cranor, Faith, and Reagle, Joseph. (Feb. 1999/Vol. 42, No.2 Communication of the ACM) The platform for privacy preferences.
- Arjula, Manjula; Cranor, Lorrie Faith, and Guduru, Praveen. (Nov. 2002 ACM 1-58113-633-1/02/001) Use of a P3P user agent by early adopters.
- Bari et al. (US 7,155,739 B2) Method and system for secure registration, storage, management and linkage of personal authentication credentials data over a network.
- Feng et al. (US 2004/0083243) Privacy preferences roaming and enforcement.
- Duri et al. (US 2004/0054919 A1) Secure system and method for enforcement of privacy policy and protection of confidentiality.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BOB CHUMPITAZ whose telephone number is (571)270-5494. The examiner can normally be reached on M-TR: 7:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BRADLEY BAYAT can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

B. C.

Examiner, Art Unit 4115

/Bradley B Bayat/

Supervisory Patent Examiner, Art Unit 4115